

INTERNET  
FORM NLRB-602  
(2-08)UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
PETITION

FORM EXEMPT UNDER 44 U.S.C.

DO NOT WRITE IN THIS SPACE  
Case No. 31-RC-8793 Date Filed 02/18/2010

INSTRUCTIONS: Submit an original of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

The Petitioner alleges that the following circumstances exist and requests that the NLRB proceed under its proper authority pursuant to Section 9 of the NLRA.

1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
- ☒ RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- ☐ RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- ☐ RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE) - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- ☐ UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES) - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
- ☐ UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit not previously certified. ☐ In unit previously certified in Case No. \_\_\_\_\_
- ☐ AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_ Attach statement describing the specific amendment sought.

2. Name of Employer <b>Henry Mayo Newhall Memorial Hospital</b>		Employer Representative to contact <b>Mark Puleo</b>		Tel. No. <b>661-200-1571</b>	
3. Address(es) of Establishment(s) Involved (Street and number, city, State, ZIP code) <b>23845 West McBean Parkway, Valencia, CA 91355</b>				Fax No. <b>661-200-1579</b>	
4a. Type of Establishment (Factory, mine, wholesaler, etc.) <b>acute care hospital</b>		4b. Identify principal product or service <b>health care</b>		Cell No.  e-Mail  	
5. Unit Involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.) <b>Included: All regular full time, part time and per diem Medical Record Clerks, Medical Records Techs, ED Charge Techs, Medical Records Coders (I,II,III) and Medical Records Application Analysts employed by the Employer in its Medical Records Dept.</b> <b>Excluded: All other employees, including all business office clericals, administrative assistants, information technicians, as well as all professionals, guards and supervisors as defined by the Act.</b>				6a. Number of Employees in Unit: Present <b>approx 30</b> Proposed (By UC/AC)  6b. Is this petition supported by 30% or more of the employees in the unit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Not applicable in RM, UC, and AC	
(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)					
7a. <input checked="" type="checkbox"/> Request for recognition as Bargaining Representative was made on (Date) <b>February 8, 2010</b> and Employer declined recognition on or about (Date) <b>February 9, 2010</b> (If no reply received, so state).					
7b. <input type="checkbox"/> Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.					
8. Name of Recognized or Certified Bargaining Agent (If none, so state.) <b>none</b>				Affiliation <b>n/a</b>	
Address <b>n/a</b>		Tel. No. <b>n/a</b>		Date of Recognition or Certification <b>n/a</b>	
		Cell No. <b>n/a</b>		Fax No. <b>n/a</b>	
				e-Mail <b>n/a</b>	
9. Expiration Date of Current Contract, if any (Month, Day, Year) <b>n/a</b>		10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day and Year) <b>n/a</b>			
11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		11b. If so, approximately how many employees are participating? <b>n/a</b>			
11c. The Employer has been picketed by or on behalf of (insert Name) <b>n/a</b> , a labor organization, of (insert Address) <b>n/a</b> Since (Month, Day, Year) <b>n/a</b>					
12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state)					
Name <b>n/a</b>		Address <b>n/a</b>		Tel. No. <b>n/a</b>	
				Fax No. <b>n/a</b>	
				Cell No. <b>n/a</b>	
				e-Mail <b>n/a</b>	
13. Full name of party filing petition (If labor organization, give full name, including local name and number) <b>United Electrical, Radio and Machine Workers of America (UE)</b>					
14a. Address (street and number, city, state, and ZIP code) <b>25000 Avenue Stanford, Room 213 Valencia, CA 91355</b>		14b. Tel. No. EXT <b>661-702-9667</b>		14c. Fax No. <b>661-702-9668</b>	
		14d. Cell No. <b>323-482-4702</b>		14e. e-Mail <b>leannan7@gmail.com</b>	
15. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (to be filled in when petition is filed by a labor organization) <b>United electrical, Radio and Machine Workers of America</b>					
I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.					
Name (Print) <b>Leanna Noble</b>		Signature <b>Leanna Noble</b>		Title (if any) <b>UE International Representative</b>	
Address (street and number, city, state, and ZIP code) <b>25000 Avenue Stanford, Room 213 Valencia, CA 91355</b>		Tel. No. <b>661-702-9667</b>		Fax No. <b>661-702-9668</b>	
		Cell No. <b>323-482-4702</b>		e-Mail <b>leannan7@gmail.com</b>	

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 31

11150 W. Olympic Boulevard, Suite 700

Los Angeles, CA 90064-1824

Telephone: (310) 235-7351

Facsimile: (310) 235-7420

www.nlr.gov

February 18, 2010

Board Agent: Steven R. Alduenda

Telephone: (310)235-7609

E-mail: Steve.Alduenda@nlrb.gov

Adam C. Abrahms, Esq.  
Proskauer Rose LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067-3206

Re: Henry Mayo Newhall Memorial Hospital  
Case No.: 31-RC-8793

NOTICE OF FILING OF PETITION

Dear Mr. Abrahms, Esq.:

Pursuant to the provisions of the National Labor Relations Act, a petition for the purpose indicated in Item 1 of the attached document has been filed with this office. Also enclosed is a copy of Form NLRB-4812 pertaining to Board procedures in this case. The Board Agent assigned is Steven R. Alduenda who can be reached at (310)235-7609.

Attention is called to your right, and the right of any party, to be represented by counsel or other representative in any proceeding before the National Labor Relations Board. In the event you choose to have a representative appear on your behalf, please have your representative complete "Notice of Appearance" Form NLRB-4701 and forward it promptly to this office.

Please submit as soon as possible to this office the following information:

- (a) One copy of the attached commerce questionnaire, filled out in the appropriate sections (retain one copy for your records). Failure to timely submit the commerce questionnaire may cause the issuance of a subpoena for production of books and records necessary to determine whether the Board has jurisdiction in this matter.
- (b) Copies of any presently existing or recently expired collective bargaining contracts covering any of the employees in the unit described, as well as any correspondence bearing on the question raised herein.
- (c) The names of any labor organizations which have claimed to represent any of the employees concerned, or other parties who should be apprised of these proceedings.
- (d) An alphabetized list of employees described in the petition, together with their job classifications, for the payroll period immediately preceding the date of this letter.
- (e) Your position as to the appropriateness of the unit.

In the event an election is agreed to or directed in this case, the Board requires that a list of names and addresses of all the eligible voters be filed by the employer with the undersigned, who will in turn make it available to all the parties to the case. This list must be furnished to the undersigned within seven (7) days of the direction of or agreement to election. I am advising you now of this requirement so that you will have ample time to prepare for the eventuality that such a list may become necessary. (This list is in addition to the list of employees requested in the proposed unit by job classification in Item (d) above.)

Further, should an election be agreed to or directed in this case, the Employer will be required to post copies of the Board's official Notice of Election in conspicuous places at least three (3) full working days prior to 12:01 a.m. of the day of the election. A copy of the Board's rule describing in greater detail the above noted posting requirements is attached. You are urged to read it carefully. If you have any questions about this requirement, please contact the Board Agent assigned to this matter.

It has been our experience that by the time a petition such as this one has been filed, employees may have questions about what is going on and what may happen. At this point in the handling of this case, we of course do not know what disposition will be made of the petition, but experience tells us that an explanation of rights, responsibilities, and Board procedures can be helpful to your employees.

The Board believes that employees should have readily available information about their rights and the proper conduct of an employee representation election. At the same time employers and unions should be apprised of their responsibilities to refrain from conduct which could impede employees' freedom of choice. Accordingly, you are requested to post the enclosed Notice to Employees in conspicuous places in areas where employees such as those described in the enclosed petition work. Copies of this Notice are being made available to the labor organization(s) involved. Also enclosed are copies of "Your Government Conducts an Election." Additional copies of this pamphlet are available upon request. In the event an election is not conducted pursuant to this petition you are requested to remove the posted Notice.

Please be advised that under the Freedom of Information Act, unfair labor practice charges and representation petitions are subject to prompt disclosure to members of the public upon request. In this regard, you may have received a solicitation by organizations or persons who have obtained public information concerning this matter and who seek to represent you before our Agency. You may be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board; their information regarding this matter is only that which must be made available to any member of the public.

Your cooperation in this matter will be appreciated.

The NLRB provides language assistance to those individuals who are not fluent in the English language. Please notify the Regional Office as soon as possible if you require such assistance.

Very truly yours,

*James J. McDermott*

James J. McDermott  
Regional Director

Enclosures

cc: Mark Puleo, Chief HR Officer, Henry Mayo Newhall Memorial Hospital,  
23845 West McBean Parkway, Valencia, CA 91355

Joseph Cohen, General Counsel, United Electrical, Radio and Machine Workers of America,  
One Gateway Center, Suite 1400, Pittsburgh, PA 15222-1416

Leanna Noble, UE International Representative, United Electrical, Radio and Machine Workers of America (UE),  
28231 Avenue Crocker, Suite 30, Valencia, CA 91355

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

Henry Mayo Newhall Memorial Hospital

Employer

and

United Electrical, Radio and Machine Workers of America

Petitioner

Case 31-RC-8793

DATE OF MAILING: February 18, 2010

**AFFIDAVIT OF SERVICE OF:**      NOTICE OF FILING OF PETITION

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that, on the date indicated above, I served the above-entitled document(s) by postpaid mail upon the following persons, addressed to them at the following addresses:

**SERVED BY REGULAR MAIL:**

Adam C. Abrahms, Esq.  
Proskauer Rose LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067-3206

Mark Puleo, Chief HR Officer  
Henry Mayo Newhall Memorial Hospital  
23845 West McBean Parkway  
Valencia, CA 91355

Joseph Cohen, General Counsel  
United Electrical, Radio and Machine Workers of America  
One Gateway Center  
Suite 1400  
Pittsburgh, PA 15222-1416

Leanna Noble, UE International Representative  
United Electrical, Radio and Machine Workers of  
America (UE)  
28231 Avenue Crocker, Suite 30  
Valencia, CA 91355

Subscribed and sworn to before me this 18th day  
of February, 2010.

DESIGNATED AGENT

NATIONAL LABOR RELATIONS BOARD

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

**NOTICE: PARTIES INVOLVED IN A REPRESENTATION PETITION SHOULD BE AWARE OF THE FOLLOWING PROCEDURES:**

**Right to be represented by counsel**

Any party has the right to be represented by counsel or other representative in any proceeding before the National Labor Relations Board and the courts. In the event you wish to have a representative appear on your behalf, please have your representative complete Form NLRB-4701, Notice of Appearance, and forward it to the respective Regional Office as soon as counsel is chosen.

**Designation of representative as agent for service of documents**

In the event you choose to have a representative appear on your behalf, you may also, if you so desire, use Form NLRB-4813 to designate that representative as your agent to receive exclusive service on your behalf of all formal documents and written communications in the proceeding, except decisions directing an election and notices of an election, and further except subpoenas, which are served on the person to whom they are addressed. If this form is not filed, both you and your representative, will receive copies of all formal documents. If it is filed, copies will be served only upon your representative, and that service will be service upon you under the statute. The designation once filed shall remain valid unless a written revocation is filed with the Regional Director.

**Investigation of petition**

Immediately upon receipt of the petition, the regional office conducts an impartial investigation to determine if the Board has jurisdiction, whether the petition is timely and properly filed, whether the showing of interest is adequate, and if there are any other interested parties to the proceeding or other circumstances bearing on the question concerning representation.

**Withdrawal or dismissal**

If it is determined that the Board does not have jurisdiction or that other criteria for proceeding to an election are not met, the petitioner is offered an opportunity to withdraw the petition. Should the petitioner refuse to withdraw, the Regional Director dismisses the petition and advises the petitioner of the reason for the dismissal and of the right to appeal to the Board.

**Agreement and conduct of election**

Upon the determination that the criteria are met for the Board to conduct a secret ballot election to resolve the question concerning representation, the parties are afforded the opportunity to enter into a consent election agreement. There are two forms: (1) Form NLRB-651, Agreement for Consent Election, provides that the parties accept the final determination of the Regional Director. (2) Form NLRB-652, Stipulation for Certification Upon Agreement for Consent Election, provides for the right of appeal to the Board on post-election matters. The secret ballot election will be conducted by an agent of the NLRB under the agreement and the parties shall have the right to observe and certify to the conduct of the election.

**Hearing**

If there are material issues which the parties cannot resolve by agreement, the Regional Director may issue a notice of hearing on the petition. At the hearing, all parties will be afforded the opportunity to state their positions and present evidence on the issues.

Scheduling of a hearing does not preclude the possibility of a consent election agreement. Approval of an agreement will serve as withdrawal of the notice of hearing.

**Names and addresses of eligible voters**

Upon approval of an election agreement, or upon issuance of a direction of election, the employer will be required to prepare a list of the names and addresses of eligible voters. The employer must file the eligibility list with the Regional Director within seven days after approval of the election agreement, or after the Regional Director or the Board has directed an election. The Regional Director then makes the list available to all other parties. The employer is advised early of this requirement so that there will be ample time to prepare for the eventuality that such a list becomes necessary. (This list is in addition to list of employees in the proposed unit and their job classifications to be used to verify the showing of interest by the union.).

FORM NLRB-5081 (8/83)	NATIONAL LABOR RELATIONS BOARD	FORM EXEMPT UNDER 44
<b>QUESTIONNAIRE ON COMMERCE INFORMATION</b>		U.S.C. 3512
Please read carefully. Answer all applicable items and return to the Regional Director. If additional space is required, use plain bond paper and identify item number.		
CASE NAME <b>Henry Mayo Newhall Memorial Hospital</b>	CASE NUMBER <b>31-RC-8793</b>	
1. TYPE OF BUSINESS <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE PROPRIETORSHIP		
2. CLASSIFICATION WHICH DESCRIBES YOUR BUSINESS <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input type="checkbox"/> WHOLESALE</div> <div style="width: 33%;"><input type="checkbox"/> NEWSPAPER</div> <div style="width: 33%;"><input type="checkbox"/> OFFICE OF INDUSTRIAL BUILDING</div> <div style="width: 33%;"><input type="checkbox"/> RETAIL</div> <div style="width: 33%;"><input type="checkbox"/> HOSPITAL</div> <div style="width: 33%;"><input type="checkbox"/> HOTEL-MOTEL</div> <div style="width: 33%;"><input type="checkbox"/> MANUFACTURING/PROCESSING</div> <div style="width: 33%;"><input type="checkbox"/> SERVICE ORGANIZATION</div> <div style="width: 33%;"><input type="checkbox"/> TRUCKING</div> <div style="width: 33%;"><input type="checkbox"/> PUBLIC UTILITY</div> <div style="width: 33%;"><input type="checkbox"/> BROADCASTING STATION</div> <div style="width: 33%;"><input type="checkbox"/> NURSING HOME</div> <div style="width: 33%;"><input type="checkbox"/> TRANSIT SYSTEM</div> <div style="width: 33%;"><input type="checkbox"/> BUILDING AND CONSTRUCTION</div> <div style="width: 33%;"><input type="checkbox"/> OTHER (Describe)</div> </div>		
3. EXACT LEGAL TITLE OF FIRM		
4. IF A CORPORATION		
A. INCORPORATED IN STATE OF	B. NAME(s) AND ADDRESS(es) OF PARENT, SUBSIDIARY, OR RELATED CORPORATION, IF ANY, AND DESCRIBE RELATIONSHIP	
5. IF A PARTNERSHIP		
FULL NAME AND COMPLETE ADDRESS OF ALL PARTNERS.		
6. IF A PROPRIETORSHIP		
FULL NAME AND COMPLETE ADDRESS OF PROPRIETORSHIP.		
7. BRIEFLY DESCRIBE THE NATURE OF YOUR BUSINESS (General products handled or manufactured, or nature of services performed).		
8. PRINCIPAL PLACE OF BUSINESS LOCATED AT:		BRANCH(es) LOCATED AT:
9. NUMBER OF PERSONNEL PRESENTLY EMPLOYED BY YOUR FIRM		
A. TOTAL	B. AT THE ADDRESS INVOLVED IN THIS PROCEEDING.	
10. DURING THE PAST <input type="checkbox"/> CALENDAR, <input type="checkbox"/> FISCAL YEAR (If Fiscal Year indicate dates) OR <input type="checkbox"/> LAST 12 MONTHS (Check appropriate box):		
A. DID GROSS REVENUE FROM SALES OR PERFORMANCE OF SERVICES DIRECTLY TO CUSTOMERS OUTSIDE THE STATE EXCEED \$50,000 <input type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$
B. DID GROSS AMOUNT OF PURCHASES OF MATERIALS OR SERVICES DIRECTLY FROM OUTSIDE THE STATE EXCEED \$50,000 <input type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$
C. DID GROSS REVENUE FROM YOUR SALES OR PERFORMANCE OF SERVICES EQUAL OR EXCEED \$50,000 TO FIRMS WHICH DIRECTLY MADE SALES TO CUSTOMERS OUTSIDE THE STATE AND/OR TO CUSTOMERS WHICH MADE PURCHASES FROM DIRECTLY OUTSIDE THE STATE <input type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$
D. IF THE ANSWER TO 10(c) IS NO, DID GROSS REVENUE FROM SALES OR PERFORMANCE OF SERVICES EQUAL OR EXCEED \$50,000 TO PUBLIC UTILITIES, TRANSIT SYSTEMS, NEWSPAPERS, HEALTH CARE INSTITUTIONS, BROADCASTING STATIONS, COMMERCIAL BUILDINGS, EDUCATIONAL INSTITUTIONS AND/OR RETAIL CONCERNS <input type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$
E. DID GROSS AMOUNT OF YOUR PURCHASES EQUAL OR EXCEED \$50,000 FROM FIRMS WHICH IN TURN, PURCHASED THOSE GOODS DIRECTLY FROM OUTSIDE THE STATE <input type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$
F. GROSS REVENUE FROM ALL SALES OR PERFORMANCE OF SERVICES (Check largest amount which firm equaled or exceeded): <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$200,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 IF LESS THAN \$100,000 INDICATE AMOUNT		\$
11. ARE YOU A MEMBER OF, OR PARTICIPATE IN, AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING? <input type="checkbox"/> YES <input type="checkbox"/> NO (If Yes, give Name and Address of association or group).		
12. DID FIRM PERFORM NATIONAL DEFENSE WORK DURING THE PERIOD INDICATED IN 10 ABOVE? <input type="checkbox"/> YES <input type="checkbox"/> NO (If Yes, amount of dollar volume and name(s) and address(es) for whom work was performed).		\$
13. PROVIDE NAME & TITLE OF YOUR REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION CONCERNING THE OPERATIONS OF YOUR BUSINESS		
NAME	TITLE	TELEPHONE NUMBER
SIGNATURE OR AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE		
NAME AND TITLE (Type or Print)	SIGNATURE	DATE

**NATIONAL LABOR RELATIONS BOARD  
NOTICE OF APPEARANCE**

Henry Mayo Newhall Memorial Hospital

and

United Electrical, Radio and Machine Workers of America

CASE 31-RC-8793

TO: (Check one Box Only) <sup>1/</sup>

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> <b>REGIONAL DIRECTOR</b><br>NLRB, REGION 31<br>11150 W. OLYMPIC BOULEVARD,<br>SUITE 700<br>LOS ANGELES, CA 90064-1824 | <input type="checkbox"/> <b>EXECUTIVE SECRETARY</b><br>NATIONAL LABOR RELATIONS BOARD<br>WASHINGTON, D.C. 20570 | <input type="checkbox"/> <b>GENERAL COUNSEL</b><br>NATIONAL LABOR RELATIONS BOARD<br>WASHINGTON, D.C. 20570 |
|---|---|---|

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX (ES) BELOW:

☐ REPRESENTATIVE IS AN ATTORNEY

☐ REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SECTIONS 102.14 AND 102.113 OF THE BOARD'S RULES AND REGULATIONS.

*(REPRESENTATIVE INFORMATION)*

**NAME:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_  
 \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

**OFFICE TELEPHONE NUMBER:** \_\_\_\_\_

**CELL PHONE NUMBER:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
 (Please sign in ink)

<sup>1/</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

## **Subpart B-Election Procedures**

### **Sec. 103.20 *Posting of elections notices.*-**

- (a) Employers shall post copies of the Board's official Notice of Election in conspicuous places at least 3 full working days prior to 12:01 a.m. of the day of the election. In elections involving mail ballots, the election shall be deemed to have commenced the day the ballots are deposited by the Regional Office in the mail. In all cases, the notices shall remain posted until the end of the election.
- (b) The term "working day" shall mean an entire 24-hour period excluding Saturdays, Sundays, and Holidays.
- (c) A party shall be estopped from objecting to non-posting of notices if it is responsible for the nonposting. An employer shall be conclusively deemed to have received copies of the election notice for posting unless it notifies the Regional Office at least 5 full working days prior to 12:01 a.m. of the day of the election that it has not received copies of the election notice.<sup>2/</sup>
- (d) Failure to post the election notices as required herein shall be grounds for setting aside the election whenever proper and timely objections are filed under the provisions of Section 102.69(a).

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<sup>2/</sup> The above reproduction of Section 103.20(C) reflects the Board's recent clarification of this rule as noted in Club Demonstration Services, 317 NLRB No. 52, (1995).



## **POLICIES AND PROCEDURES FOR ELECTRONIC COMMUNICATIONS WITH THE NLRB**

This document sets forth the policies and procedures for two types of electronic communications with the NLRB: electronic communications and filing with field offices (Regional, Subregional, and Resident Offices) and electronic filing with the Office of the Executive Secretary of the Board in Washington, DC.

### **ELECTRONIC COMMUNICATIONS AND FILING WITH FIELD OFFICES**

The General Counsel of the National Labor Relations Board has established the following policies for electronic communications and filings with the NLRB field offices, which include Regional, Subregional and Resident Offices.

**E-Mail Communications with Board Agents:** To encourage and facilitate the exchange of case handling information between the parties or their representatives and Board agents, individual Board agents' E-mail addresses will be made available to the parties. We encourage parties and/or their representatives to provide the Regional, Subregional or Resident Office with their E-mail addresses. E-mail communications with a represented party generally will be through the party's attorney or other representative.

If an outside party and/or its representative provides its E-mail address, Board agents will accept and send E-mail messages to arrange appointments, schedule witnesses and exchange other case-relevant information. Please note that a Board agent may be unable to access E-mails when the agent is away from the Regional office. If a party and/or its representative requests that communications not be sent by E-mail, Board agents will honor that request after receipt of the request in the Regional, Subregional or Resident Office.

To facilitate the identification of the type of communication being transmitted to a Board agent by E-mail, outside parties and representatives are requested to place in the subject line of the E-mail message the case name, case number and a brief description of the communication, such as "scheduling of appointment."

**Filing Documents through Agency Website:** Electronic communications that contain a substantive discussion of the merits of a case, or include one of the documents listed below, or that request an extension of time for filing a document, whether or not it contains attachments, are considered to be substantive documents and must be submitted to the appropriate Regional, Subregional or Resident Office through the Agency website:

<http://www.nlr.gov>

On the Agency's website, under E-Gov, click on the E-Filing link on the pull-down menu. An E-File page opens, giving the user several E-Filing options. Click on the "File Documents" button under "Regional, Subregional and Resident Offices."

After clicking on this button, a user will see a page listing the E-Filing terms. At the bottom of this page, a user must click on the button indicating that the user has read the E-Filing Terms and then click on the "Accept" button. A page will then appear that allows the user to send a document to the appropriate Regional, Subregional or Resident Office. There is a 2-step process to transmit a document electronically to the appropriate office. The first step is to fill in the requested user information, and to select and attach the document. The first field to be completed will be to select the appropriate Regional, Subregional or Resident Office to which the document should be sent. All fields marked with an asterisk (\*) on the form must be completed. After completing this first step, click the SUBMIT FORM button at the bottom of the page. In the

second step, a user will be asked to verify the information provided before completing the process of electronically filing with a Regional, Subregional or Resident Office. Utilization of the E-Filing form on the Agency's website to file documents is permitted under Section 102.114, notwithstanding any contrary provisions in the Board's Rules and Regulations.

**Regional Mailboxes Discontinued :** The E-mail boxes for each Regional, Subregional or Resident Office that **had** previously been established are being discontinued effective November 17, 2006. Therefore, on this date, all documents to be filed electronically with a Regional, Subregional or Resident Office should be filed utilizing the new electronic filing system on the Agency's website. On and after November 17, 2006, documents sent to the E-mail boxes for each Regional, Subregional or Resident Office will not be accepted.

The following are examples of documents that may be sent to a Regional, Subregional or Resident Office electronically through the Agency's website:

- Position Statements
- Notices of Appearance
- Requests for an Extension of Time For Filing Of Documents  
Due to be Filed With a Regional Director or Hearing Officer
- Requests for Postponement of a Hearing Due to be Filed With a Regional  
Director or Hearing Officer
- *Excelsior* Lists
- Observer Designations
- Requests To Proceed
- Withdrawal Requests
- Disclaimers of Interest
- Election Objections and Evidence in Support
- Representation Case Briefs to the Regional Director/Hearing Officer
- Briefs to Administrative Law Judges to be served on Counsel for the  
General Counsel
- Unfair Labor Practice Exceptions and Briefs to the Board to be served on Counsel for the  
General Counsel
- Answers to Complaints or Compliance Specifications
- Motions for Summary Judgment and responses to such motions to be filed with the  
Regional Director or Counsel for the General Counsel
- Petitions to Revoke Subpoenas and responses to such petitions to be  
filed with the Regional Director or Counsel for the General Counsel
- Motions for Bill of Particulars to be filed with the Regional Director
- Any document filed electronically with the Board in accordance with the Board's  
E-Filing Project

Provided that:

- For any Answer to a Complaint or Compliance Specification or any document over fifteen (15) pages in length, a party must transmit a paper copy of the document to the Regional Office by traditional means within three (3) business days after the date of electronic filing.
- Any document submitted to a Region electronically must be complete. Any attachments must be converted into electronic form and included as part of the document.

**Requirements For All Documents Sent Electronically to a Field Office:** The following requirements apply to all documents sent to a field office.

1. **Electronic Filings Must Be Timely:** Parties and persons are cautioned that electronic filings to Regional, Subregional or Resident Offices must be timely so that transmission through the Agency's website is accomplished by the time of close of business in the receiving office. A failure to timely file or serve a document will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason.
2. **Format of Documents:** Documents should be in a "read only" format that ensures that the attachment may not be modified or altered. The NLRB utilizes the Microsoft Office suite of software. A document electronically submitted to a Regional, Subregional or Resident Office must be in an electronic format that may be opened, read and printed by that office. Microsoft *Word* documents must bear the suffix ".doc"; other documents must be named in a fashion to permit their recognition by the Microsoft suite of software, e.g., ".ppt" (PowerPoint) or ".xls" (*Excel*). In addition, the Agency utilizes *Adobe Reader* software and can open and read ".pdf" documents. The responsibility for the receipt and usability of a document rests exclusively upon the sender.
3. **Unacceptable Electronic Transmissions:** The following documents may not be filed with a Regional, Subregional or Resident Office electronically:
 

Unfair Labor Practice Charges Representation  
Petitions

Currently, it is not administratively feasible to accept charges and petitions through our website. These documents should continue to be sent to a Regional Office by mail, fax, overnight delivery service or hand delivery.
4. **Official Business:** Outside parties may send electronic communications to Regional, Subregional and Resident Offices dealing only with official Agency business. E-mails to Board agents or Regional, Subregional or Resident Offices not dealing with official Agency business, such as those soliciting business or advertising products or services, are strictly prohibited.
5. **Computer Viruses: Outside** parties communicating with Board agents or Regional, Subregional or Resident Offices are requested to take all reasonable steps to prevent sending any material to the Agency that contains computer viruses or other matters that may be harmful to the Agency's information technology systems.

**DOCUMENTS THAT MAY BE FILED ELECTRONICALLY WITH THE OFFICE OF THE EXECUTIVE SECRETARY OF THE BOARD IN WASHINGTON, DC**

The Board has established the following procedures pursuant to its E-filing Project for filing documents electronically with the Board:

- Any document fifteen (15) pages in length or less, including attachments, which may, under the Board's Rules, be filed with the Office of the Executive Secretary.
- Any such document over fifteen (15) pages in length and less than ten (10) MB in size,

provided that the appropriate copies otherwise required by the Board's Rules are received by the Office of the Executive Secretary by traditional means within three (3) business days.

These documents include, but are not limited to the following: Representation Cases:

- Exceptions to Post-Election Reports/Decisions
- Requests for Review
- Requests for Special Permission to Appeal Regional Director's Decision/Order
- Briefs
- Motions (all types)
- Other Requests (all types)
- Oppositions to Pending Requests or Motions

Unfair Labor Practice Cases:

- Exceptions
- Cross Exceptions
- EAJA Applications
- Requests for Special Permission to Appeal ALJ Ruling
- Objections to Settlements
- Briefs
- Motion (all types)
- Other Requests (all types)
- Opposition to Pending Requests or Motions

Documents that May Not be Filed Electronically with the Office of the Executive Secretary of the Board in Washington, DC:

- Documents to be filed with the Office of the General Counsel
- Documents to be filed with the Division of Judges
- Documents to be filed with a Regional Director
- Documents not permitted by the Board's Rules to be filed with the Office of the Executive Secretary
- Petitions for Advisory Opinions
- Documents that are more than ten (10) MB in size

The Board's E-Filing Project establishes the following six requirements:

1. **E-FILINGS MUST BE TIMELY.** Parties or other persons using the Board's E-Filing Form are cautioned not to rely on E-Filing for "last minute" requests. A failure to timely file or serve a document will not be excused on the claim that the transmission could not be accomplished because the receiving machine was off-line or unavailable for any other reason. E-Filings must comport with all applicable time requirements including Section 102.111(b). Further, the verification that your document has been successfully transmitted to the Web site does not indicate actual filing and timely receipt by the Board. A party will be sent an e-mail notification when its document has been received by the Board's Office of the Executive Secretary. The date and time of receipt specified on this notification will be used to determine whether the submission is timely. This e-mail receipt will be delivered to the e-mail address listed on the E-Filing form.

2. **PREFERRED DOCUMENT FORMAT IS PDF.** The preferred format for submitting documents using E-Filing is *Adobe's* Portable Document Format (\*.pdf). However, in order to make the Board's E-Filing system more widely available to the public, persons who do not have the ability to submit documents in PDF format may submit documents in Microsoft Word format (\*.doc). Persons who do not have the ability to submit documents in either PDF or Microsoft *Word* format may submit documents in simple text format (\*.txt). The Board requires that documents submitted electronically must be (1) in a "read only" format and (2) free from any computer virus.
3. **DOCUMENTS MUST BE VIRUS-FREE.** A user of the E-Filing Project is responsible for taking all reasonable steps to prevent sending any material to the Agency that contains computer viruses. All submissions using this E-Filing Form will be scanned for viruses. Any submission that contains a virus will automatically be deleted by the Agency's computer system and thus will not be processed.
4. **DOCUMENTS MUST BE COMPLETE.** Any document submitted via the Board's E-Filing Form must be complete. Any attachments must be converted into electronic form and included as part of the document. No attachments may be filed (either electronically or by service of hard copy) separately from the electronic document under any circumstances.
5. **ALL DOCUMENTS MUST INCLUDE STATEMENT OF SERVICE.** Any document submitted via the Board's E-Filing Form must be served on the parties and the Regional Director. A statement of service must be included in the document pursuant to the expedited service requirements of Section 102.114(i) of the Board's Rules and Regulations. Depending on the means of service, the statement of service should include the address and fax number of the individuals and parties served. The Board will not process any E-Filing without an appropriate statement of service.
6. **COPIES OF LONG DOCUMENTS MUST BE SUBMITTED SEPARATELY.** Documents of fifteen (15) pages in length or less, including attachments, may be submitted via the Board's E-Filing Form without the copies normally required by the Board's Rules and Regulations. Documents over fifteen (15) pages in length and less than ten (10) MB in size may be submitted via the Board's E-Filing Form provided that the appropriate copies required by the Board's Rules and Regulations are promptly submitted via personal service or overnight delivery service, and are received by the Office of the Executive Secretary no later than three (3) business days after the electronic filing. Documents that are more than ten (10) MB in size may not be filed electronically.

**QUESTIONS:** Any questions about the General Counsel's or the Board's E-filing policies should be directed to an NLRB Information Officer during regular business hours.

The National Labor Relations Board (NLRB) is taking steps to widen public awareness of its mission and to make it easier for employees, employers, and unions to receive answers to questions about their rights and Board processes. The NLRB is an independent Agency of the Federal Government that administers and enforces the National Labor Relations Act, a law passed by Congress in 1935. The NLRB protects the rights of workers, unions and employers relating to the practice of collective bargaining. Our Agency conducts secret ballot elections to determine whether employees desire to have a union represent them at work, and we investigate and remedy unfair labor practices committed by employers and unions.

The Agency recently launched a toll-free telephone number and we are seeking your assistance in publicizing its availability to individuals in the community. By calling the toll-free number, individuals can listen to a description of the Agency's mission and speak with an Information Officer from one of our Regional Offices located throughout the country; or they can be referred to other government agencies for services that meet their particular needs. The toll-free number is set up to assist English and Spanish-speaking individuals.

The toll-free number is:  
**1-866-667-NLRB (1-866-667-6572).**

Hearing impaired persons may contact the Agency's TTY service at:  
**1-866-315-NLRB (1-866-315-6572).**

Our toll-free number provides cost-free and easy access to our Agency and an enhanced opportunity to discuss employment-related concerns with our trained professionals.

La Junta Nacional de Relaciones del Trabajo (NLRB) esta tomando pasos para ampliar la conciencia publica sobre nuestra misión y para hacerle más fácil a empleados, empresas, y sindicatos obtener respuestas a preguntas sobre los procesos de la Junta. La NLRB es una agencia independiente del gobierno Federal que administra y hace cumplir la Ley Nacional de Relaciones del Trabajo, una ley pasada por el Congreso en 1935. La NLRB protege los derechos de trabajadores, sindicatos y empresas con respecto a la práctica de negociaciones colectivas de trabajo. Nuestra agencia celebra elecciones de voto secreto para determinar si los empleados desean tener un sindicato que los represente en el trabajo, y nosotros investigamos y remediamos prácticas injustas de trabajo cometidas por empresas y sindicatos.

La Agencia lanzó recientemente una línea telefónica nacional gratuita y nosotros estamos solicitando su asistencia en hacer publica su disponibilidad a las personas en la comunidad. Al llamar al numero gratuito, la persona puede escuchar una descripción de la misión de la Agencia; y hablar con un Oficial de Información de una de nuestras oficinas regionales localizadas a través del país; o ellos pueden ser referidos a otras agencias del gobierno para servicios que cubran sus inquietudes, problemas o situación particular. La línea telefónica nacional gratuita esta diseñada para asistir a las personas que hablan ingles y español.

El numero de la línea telefónica nacional gratuita es el  
**1-866-667-NLRB (1-866-667-6572).**

Las personas con problemas de audición pueden contactar el servicio TTY de la  
Agencia al  
**1-866-315-NLRB (1-866-315-6572).**

Nuestra línea telefónica nacional gratuita provee acceso fácil y libre de costo a nuestra Agencia y una mejor oportunidad para discutir asuntos relacionados a empleo con nuestros profesionales calificados.



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 31

11150 W. Olympic Blvd., Suite 700

Los Angeles, CA 90064-1824

Telephone: (310) 235-7609

Facsimile: (310) 235-7420

[www.nlr.gov](http://www.nlr.gov)

February 27, 2010

United Electrical, Radio and Machine  
Workers of America (UE)  
Leanna Noble, UE International Rep.  
28231 Avenue Crocker, Suite 30  
Valencia, CA 91355

Re.: Henry Mayo Newhall Memorial Hospital/  
Santa Clarita Health Care Association  
Case 31-RC-8793

Gentlepersons:

Enclosed herewith is a copy of the **Eligibility List** submitted by the Employer for the election scheduled in the above-entitled matter. Please check the list carefully and, if you have any questions concerning the list, the names appearing thereon, or names omitted from it, advise the Board Agent without delay.

Very truly yours,

*James J. McDermott*

James J. McDermott  
Regional Director

Enclosure



**United Electrical, Radio and Machine  
Workers of America (UE)  
Leanna Noble, UE International Rep.  
28231 Avenue Crocker, Suite 30  
Valencia, CA 91355**



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 31

11150 W. Olympic Blvd., Suite 700

Los Angeles, CA 90064-1824

Telephone: (310) 235-7609

Facsimile: (310) 235-7420

[www.nlrb.gov](http://www.nlrb.gov)

March 9, 2010

Adam C. Abrahms, Esquire  
Proskauer Rose LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067-3206

Re.: Henry Mayo Newhall Memorial Hospital/  
Santa Clarita Health Care Association  
Case 31-RC-8793

Dear Gentleperson:

Enclosed are Notices of Election which the Employer is required to post. Section 103.20 of the Board's Rules and Regulations requires employers to post the Board's official Notice of Election in conspicuous places at least three (3) full working days, not including Saturdays, Sundays, and holidays, prior to 12:01 a.m. of the day of the election. **Therefore, the enclosed notices must be posted prior to 12:01 a.m. on March 19, 2010.** A failure to comply with this posting requirement shall be grounds for setting aside the election whenever proper and timely objections are filed. In order to avoid any issue developing about the adequacy of the posting period, the enclosed notices should be posted immediately upon receipt. In all cases, the Notices of Election shall remain posted until the end of the election.

Please note that an employer shall be conclusively deemed to have received copies of the Notices of Election for posting unless it notifies the Regional Office at least five (5) working days prior to the commencement of the election that it has not received copies of the election notice.

Additionally, please find enclosed Instructions to Election Observers for their use in this election. The election observers selected by the parties must be non-supervisory employees of the Employer. Unless otherwise notified, they should be instructed to meet the Board Agent at the polling place not less than 30 minutes before the polls are due to open. They will be expected to assist the Board Agent in the conducting of the voting and counting of ballots.

Enclosures

Very truly yours,

*Steven R. Alduenda*

Steven R. Alduenda  
Field Examiner

cc: Henry Mayo Newhall Memorial Hospital, Mark Puleo, Chief HR Officer, 23845 West McBean Parkway, Valencia, CA 91355

United Electrical, Radio and Machine Workers of America (UE), Leanna Noble, UE International Rep., 28231 Avenue Crocker, Suite 30, Valencia, CA 91355

United Electrical, Radio and Machine Workers of America, Joseph Cohen, General Counsel, One Gateway Center, Suite 1400, Pittsburgh, PA 15222-1416

**Adam C. Abrahms, Esquire  
Proskauer Rose LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067-3206**

**Henry Mayo Newhall Memorial Hospital  
Mark Puleo, Chief HR Officer  
23845 West McBean Parkway  
Valencia, CA 91355**

**United Electrical, Radio and Machine  
Workers of America (UE)  
Leanna Noble, UE International Rep.  
28231 Avenue Crocker, Suite 30  
Valencia, CA 91355**

**United Electrical, Radio and  
Machine Workers of America  
Joseph Cohen, General Counsel  
One Gateway Center, Suite 1400  
Pittsburgh, PA 15222-1416**

## VOTING UNIT

31-RC-8793

**INCLUDED:** All full-time and regular part-time and per diem Medical Records Clerks, Medical Records Techs, ED Charge Techs, Medical Records Coders (I, II, III) and Medical Records Application Analysts employed by the Employer in its Medical Records Department at the Employer's facility located at 23845 McBean Parkway, Valencia, California during the payroll period ending February 6, 2010. In addition, all non-full-time and non-part-time per diem employees who have worked an average of at least four shifts per month over the last three months immediately preceding the payroll period ending February 6, 2010 are eligible to vote.

**EXCLUDED:** All other employees, including all business office clericals, administrative assistants, information technicians, as well as all professional employees, guards and supervisors as defined in the Act, as amended.

## DATE, HOURS AND PLACE OF ELECTION

**DATE:** WEDNESDAY, MARCH 24, 2010

**HOURS:** 2:30 P.M. TO 5:30 P.M.

**PLACE:** AT A SITE ON THE EMPLOYER'S PREMISES LOCATED AT 23845 WEST MCBEAN PARKWAY, VALENCIA, CALIFORNIA.



UNITED STATES OF AMERICA  
National Labor Relations Board  
FORM NLRB-707N2A (10-07)



### OFFICIAL SECRET BALLOT

For Certain Employees of

HENRY MAYO NEWHALL MEMORIAL  
HOSPITAL/SANTA CLARITA HEALTH CARE ASSOCIATION

Do you wish to be represented for purposes of collective-bargaining by –

UNITED ELECTRICAL, RADIO AND MACHINE  
WORKERS OF AMERICA (UE)

MARK AN "X" IN THE SQUARE OF YOUR CHOICE

YES

☐

NO

☐

DO NOT SIGN THIS BALLOT. Fold and drop in ballot box.  
If you spoil this ballot return it to the Board Agent for a new one.

The National Labor Relations Board does not endorse any choice in this election.  
Any markings that you may see on any sample ballot have not been put there by the  
National Labor Relations Board.



UNITED STATES OF AMERICA  
National Labor Relations Board  
FORM NLRB-707N2A (10-07)



## OFFICIAL SECRET BALLOT

For Certain Employees of

HENRY MAYO NEWHALL MEMORIAL  
HOSPITAL/SANTA CLARITA HEALTH CARE ASSOCIATION

Do you wish to be represented for purposes of collective-bargaining by –

UNITED ELECTRICAL, RADIO AND MACHINE  
WORKERS OF AMERICA (UE)

MARK AN "X" IN THE SQUARE OF YOUR CHOICE

YES

☐

NO

☐

DO NOT SIGN THIS BALLOT. Fold and drop in ballot box.  
If you spoil this ballot return it to the Board Agent for a new one.

The National Labor Relations Board does not endorse any choice in this election.  
Any markings that you may see on any sample ballot have not been put there by the  
National Labor Relations Board.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

HENRY MAYO NEWHALL MEMORIAL HOSPITAL/SANTA  
CLARITA HEALTH CARE ASSOCIATION

EMPLOYER

and

UNITED ELECTRICAL, RADIO AND MACHINE WORKERS  
OF AMERICA (UE)

PETITIONER

Date Filed

Case No. 31-RC-8793

2/18/2010

Date Issued MARCH 24, 2010

Type of Election  
(Check one:)

- ☒ Stipulation  
☐ Board Direction  
☐ Consent Agreement  
☐ RD Direction  
Incumbent Union (Code)

(If applicable check  
either or both:)

- ☐ 8(b) (7)  
☐ Mail Ballot

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated above, were as follows:

1. Approximate number of eligible voters ..... 32
2. Number of Void ballots ..... 8
3. Number of Votes cast for PETITIONER ..... 24
4. Number of Votes cast for .....
5. Number of Votes cast for .....
6. Number of Votes cast against participating labor organization(s) ..... 8
7. Number of Valid votes counted (sum of 3, 4, 5, and 6) ..... 32
8. Number of Challenged ballots ..... 0
9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8) ..... 32
10. Challenges are (not) sufficient in number to affect the results of the election. ~~not~~
11. A majority of the valid votes counted plus challenged ballots (Item 9) has (not) been cast for PETITIONER ☒

For the Regional Director

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For EMPLOYER

For PETITIONER

For

For

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

HENRY MAYO NEWHALL MEMORIAL HOSPITAL/  
SANTA CLARITA HEALTH CARE ASSOCIATION

Employer

and

UNITED ELECTRICAL, RADIO AND MACHINE  
WORKERS OF AMERICA (UE)

Petitioner

TYPE OF ELECTION

(CHECK ONE)

☐ CONSENT

☒ STIPULATED

☐ RD DIRECTED

☐ BOARD DIRECTED

CASE 31-RC-8793

(ALSO CHECK BOX  
BELOW WHEN APPROPRIATE)

☐ 8(b)(7)

CERTIFICATION OF REPRESENTATIVE

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots have been cast for **UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA (UE)** and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit.

**INCLUDED:** All full-time and regular part-time and per diem Medical Records Clerks, Medical Records Techs, ED Charge Techs, Medical Records Coders (I, II, III) and Medical Records Application Analysts employed by the Employer in its Medical Records Department at the Employer's facility located at 23845 McBean Parkway, Valencia, California.

**EXCLUDED:** All other employees, including all business office clericals, administrative assistants, information technicians, as well as all professional employees, guards and supervisors as defined in the Act, as amended.



Signed at Los Angeles, California

On the 2nd day of  
April 2010

*James J. McDermott*  
Regional Director, Region 31  
National Labor Relations Board

Re: HENRY MAYO NEWHALL MEMORIALHOSPITAL/  
SANTA CLARITA HEALTH CARE ASSOCIATION  
CASE 31-RC-8793

April 2, 2010

CERTIFICATION OF REPRESENTATIVE has been issued this date to the following parties:

Adam C. Abrahms, Esquire  
Proskauer Rose LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067-3206

Henry Mayo Newhall Memorial Hospital  
Mark Puleo, Chief HR Officer  
23845 West McBean Parkway  
Valencia, CA 91355

United Electrical, Radio and Machine  
Workers of America (UE)  
Leanna Noble, UE International Rep.  
28231 Avenue Crocker, Suite 30  
Valencia, CA 91355

United Electrical, Radio and  
Machine Workers of America  
Joseph Cohen, General Counsel  
One Gateway Center, Suite 1400  
Pittsburgh, PA 15222-1416



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**STIPULATED ELECTION AGREEMENT**

**Henry Mayo Newhall Memorial Hospital**

**Case 31-RD-095633**

The parties **AGREE AS FOLLOWS:**

**1. PROCEDURAL MATTERS.** The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn, that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations.

**2. COMMERCE.** The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

The Employer, a California non-profit corporation, is engaged in the business of operating an acute care hospital in Valencia, California. During the past 12 months, a representative period, the Employer has received gross revenues in excess of \$250,000. During that same period, Employer has purchased and received goods, supplies, and materials valued in excess of \$5,000 directly from enterprises located outside the State of California.

**3. LABOR ORGANIZATION.** The United Electrical, Radio and Machine Workers of America (UE), Local 1004 is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

**4. ELECTION.** A secret-ballot election under the Board's Rules and Regulations shall be held under the supervision of the Regional Director on the date and at the hours and places specified below.

**DATE:** Thursday, February 7, 2013      **HOURS:** 2:30 p.m. to 5:30 p.m.

**PLACE:** The Acute Rehab Unit Dining Room at the Employer's facility located at 23845 McBean Parkway, Valencia, California 91355

If the election is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

**5. UNIT AND ELIGIBLE VOTERS.** The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

**Included:** All full-time, regular part-time and per diem Advanced Clerks, Medical Records Clerks, Medical Records Techs, ED Charge Techs, Medical Records Coders (I, II, III) and Medical Records Application Analysts employed by the Hospital.

**Excluded:** All professional employees, business office clerical employees, confidential employees, guards, supervisors as defined in the Act, and also

excluding all other classifications, including but not limited to registered nurses, employees represented by a separate bargaining unit, Administrative Assistants, and Information Technicians. Also excluded is any Employee who habitually works fewer than eight hours in each two-week pay period.

Those eligible to vote in the election are employees in the above unit who were employed during the payroll period ending December 22, 2012, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off. Any per diem employee who has worked an average of fewer than eight hours per two-week pay period during six two-week pay periods immediately preceding the payroll period ending December 22, 2012 are not eligible to vote.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

**6. ELECTION ELIGIBILITY LIST.** Within seven (7) days after the Regional Director has approved this Agreement, the Employer shall provide to the Regional Director an election eligibility list containing the full names and addresses of all eligible voters. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *North Macon Health Care Facility*, 315 NLRB 359 (1994).

**7. THE BALLOT.** The Regional Director will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of any voters or potential voters who only read a language other than English.

The question on the ballot will be "Do you wish to be represented for purposes of collective-bargaining by **The United Electrical, Radio and Machine Workers of America (UE), Local 1004?** The choices on the ballot will be "Yes" or "No".

**8. NOTICE OF ELECTION.** The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer will post copies of the Notice of Election in conspicuous places and usual posting places easily accessible to the voters at least three (3) full working days prior to 12:01 a.m. of the day of the election. As soon as the election arrangements are finalized, the Employer will be informed when the Notices must be posted in order to comply with the posting requirement. Failure to post the Election Notices as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

**9. ACCOMMODATIONS REQUIRED.** All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

**10. OBSERVERS.** Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

**11. TALLY OF BALLOTS.** Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

**12. POSTELECTION AND RUNOFF PROCEDURES.** All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

**HENRY MAYO NEWHALL MEMORIAL  
HOSPITAL**

(Employer)

By

(Name)

(Date)

(b) (6), (b) (7)(C)

(Petitioner)

By

(Name)

(Date)

**UE LOCAL 1004**

(Union)

Recommended:

HARRISON KUNTZ, Field Examiner (Date)

By

(Name)

(Date)

Date approved:

Regional Director, Region 31  
National Labor Relations Board

Form NLRB-852

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**STIPULATED ELECTION AGREEMENT**

**Henry Mayo Newhall Memorial Hospital****Case 31-RD-095633**The parties **AGREE AS FOLLOWS:**

**1. PROCEDURAL MATTERS.** The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn, that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations.

**2. COMMERCE.** The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

The Employer, a California non-profit corporation, is engaged in the business of operating an acute care hospital in Valencia, California. During the past 12 months, a representative period, the Employer has received gross revenues in excess of \$250,000. During that same period, Employer has purchased and received goods, supplies, and materials valued in excess of \$5,000 directly from enterprises located outside the State of California.

**3. LABOR ORGANIZATION.** The United Electrical, Radio and Machine Workers of America (UE), Local 1004 is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

**4. ELECTION.** A secret-ballot election under the Board's Rules and Regulations shall be held under the supervision of the Regional Director on the date and at the hours and places specified below.

**DATE:** Thursday, February 7, 2013      **HOURS:** 2:30 p.m. to 5:30 p.m.

**PLACE:** The Acute Rehab Unit Dining Room at the Employer's facility located at 23845 McBean Parkway, Valencia, California 91355

If the election is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

**5. UNIT AND ELIGIBLE VOTERS.** The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

**Included:** All full-time, regular part-time and per diem Advanced Clerks, Medical Records Clerks, Medical Records Techs, ED Charge Techs, Medical Records Coders (I, II, III) and Medical Records Application Analysts employed by the Hospital.

**Excluded:** All professional employees, business office clerical employees, confidential employees, guards, supervisors as defined in the Act, and also

excluding all other classifications, including but not limited to registered nurses, employees represented by a separate bargaining unit, Administrative Assistants, and Information Technicians. Also excluded is any Employee who habitually works fewer than eight hours in each two-week pay period.

Those eligible to vote in the election are employees in the above unit who were employed during the payroll period ending December 22, 2012, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off. Any per diem employee who has worked an average of fewer than eight hours per two-week pay period during six two-week pay periods immediately preceding the payroll period ending December 22, 2012 are not eligible to vote.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

**6. ELECTION ELIGIBILITY LIST.** Within seven (7) days after the Regional Director has approved this Agreement, the Employer shall provide to the Regional Director an election eligibility list containing the full names and addresses of all eligible voters. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *North Macon Health Care Facility*, 315 NLRB 359 (1994).

**7. THE BALLOT.** The Regional Director will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of any voters or potential voters who only read a language other than English.

The question on the ballot will be "Do you wish to be represented for purposes of collective-bargaining by The United Electrical, Radio and Machine Workers of America (UE), Local 1004?" The choices on the ballot will be "Yes" or "No".

**8. NOTICE OF ELECTION.** The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer will post copies of the Notice of Election in conspicuous places and usual posting places easily accessible to the voters at least three (3) full working days prior to 12:01 a.m. of the day of the election. As soon as the election arrangements are finalized, the Employer will be informed when the Notices must be posted in order to comply with the posting requirement. Failure to post the Election Notices as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

**9. ACCOMMODATIONS REQUIRED.** All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

10. OBSERVERS. Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

11. TALLY OF BALLOTS. Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

12. POSTELECTION AND RUNOFF PROCEDURES. All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

**HENRY MAYO NEWHALL MEMORIAL  
HOSPITAL**  
(Employer)

By /s/ Amy Messigian 1/4/13  
(Name) (Date)

(b) (6), (b) (7)(C)

By (b) (6), (b) (7)(C) 1/4/13  
(Name) (Date)

**UE LOCAL 1004**  
(Union)

Recommended: H. Kuntz 1/4/13  
HARRISON KUNTZ, Field Examiner (Date)

By /s/ Joseph Cohen 1/4/13  
(Name) (Date)

Date approved: 1/4/13

[Signature]  
Regional Director, Region 31  
National Labor Relations Board

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**STIPULATED ELECTION AGREEMENT**

**Henry Mayo Newhall Memorial Hospital**

**Case 31-RD-095633**

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**Excluded:** All professional employees, business office clerical employees, confidential employees, guards, supervisors as defined in the Act, and also

excluding all other classifications, including but not limited to registered nurses, employees represented by a separate bargaining unit, Administrative Assistants, and Information Technicians. Also excluded is any Employee who habitually works fewer than eight hours in each two-week pay period.

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The question on the ballot will be "Do you wish to be represented for purposes of collective-bargaining by The United Electrical, Radio and Machine Workers of America (UE), Local 1004? The choices on the ballot will be "Yes" or "No".

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**12. POSTELECTION AND RUNOFF PROCEDURES.** All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

**HENRY MAYO NEWHALL MEMORIAL**

**HOSPITAL**

(Employer)

By /s/ Amy Messigian 1/4/13  
(Name) (Date)

**(b) (6), (b) (7)(C)**

(Petitioner)

By /s/ (b) (6), (b) (7)(C) 1/4/13  
(Name) (Date)

**UE LOCAL 1004**

(Union)

Recommended: H. Kuntz 1/4/13  
HARRISON KUNTZ, Field Examiner (Date)

By [Signature] 1/4/2013  
(Name) (Date)

Date approved: 1/4/13

[Signature]  
Regional Director, Region 31  
National Labor Relations Board

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
REGION 31

<b>HENRY MAYO NEWHALL MEMORIAL HOSPITAL</b>  Employer  and <b>(b) (6), (b) (7)(C), an Individual</b>  Petitioner  and <b>THE UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA (UE), LOCAL 1004</b>  Union	<b>Case 31-RD-095633</b>
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**TYPE OF ELECTION:** STIPULATED

**CERTIFICATION OF RESULTS OF ELECTION**

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has not been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board,

It is certified that a majority of the valid ballots have not been cast for any labor organization and that no labor organization is the exclusive representative of the employees in the bargaining unit described below.

**INCLUDED:** All full-time, regular part-time and per diem Advanced Clerks, Medical Records Clerks, Medical Records Techs, ED Charge Techs, Medical Records Coders (I, II, III) and Medical Records Application Analysts employed by the Hospital.

**EXCLUDED:** All professional employees, business office clerical employees, confidential employees, guards and supervisors as defined in the Act, and also excluding all other classifications, including but not limited to registered nurses, employees represented by a separate bargaining unit, Administrative Assistants, and Information Technicians. Also excluded is any Employee who habitually works fewer than eight hours in each two-week pay period.



February 19, 2013

  
MORI PAM RUBIN  
Regional Director, Region 31  
National Labor Relations Board